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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

JAROD BOWMAN, JOSHAWN
DOUGLAS-SIMPSON

Plaintiffs,

vs.

DELORES MATTEUCCI, Superintendent of
the Oregon State Hospital, in her individual
and official capacity, PATRICK ALLEN,
Director of the Oregon Health Authority,

Defendant.

Case No. 3:21-cv-01637

**DECLARATION OF JAROD
BOWMAN**

I, Jarod Bowman, make the following declaration under the penalty of perjury, based on
my own personal knowledge, and pursuant to 28 U.S.C. § 1746:

1. I am currently incarcerated at the Multnomah County Detention Center.
2. On March 10, 2021, Judge Nan Waller found me guilty except for insanity on
Case No 19CR81195 and committed me to the jurisdiction of the Psychiatric Security Review

DECLARATION OF JAROD BOWMAN - 1

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1 Board and ordered that I be transported to the Oregon State Hospital for custody, care, and
2 treatment “without unreasonable delay.”

3 3. At first I thought I would be transported to the Oregon State Hospital within 10
4 days of my commitment.

5 4. After 10 days, I was not transported to the Oregon State Hospital.

6 5. Then, I thought that it may take 90 days for me to be transported to the Oregon
7 State Hospital because that is the date the Psychiatric Security Review Board must hold its first
8 hearing about whether I should be conditionally released or discharged under ORS
9 161.341(6)(a).

10 6. After 90 days of my commitment, I was not transported to the Oregon State
11 Hospital.

12 7. Then in June, 2021 my lawyer, Peyton Lee filed a contempt action because I had
13 not been transported to the Oregon State Hospital.

14 8. At the contempt hearing held in July, Mr. Wehr, a witness for the Oregon State
15 Hospital testified that beds would be available for my admission on or before October 1, 2021.

16 9. On September 22, 2021 Judge Waller found the Oregon State Hospital in
17 Contempt for not admitting me and having me transported there. Judge Waller ordered the
18 Oregon State Hospital to transport and admit me to the Oregon State Hospital within seven
19 days of her judgment. She also ordered that the Oregon State Hospital deposit \$100 per day
20 into a trust fund with the Multnomah County Sheriff for each day that I remained in the custody
21 of the Multnomah County Sheriff.
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1 10. On October 1, 2021, my lawyer, Peyton Lee filed another contempt action
2 because I still had not been transported to the Oregon State Hospital. The hearing on that
3 contempt action was held on October 13, 2021.

4 11. At the October 13, 2021 contempt hearing Mr. Wehr, testified for the Oregon
5 State Hospital and said that I would be admitted to the Oregon State Hospital in November
6 2021.

7 12. On October 22, 2021, Judge Waller again found the Oregon State Hospital in
8 Contempt. Judge Waller ordered me transported within five days of October 13, 2021 and
9 ordered the Oregon State Hospital to deposit \$2,500 a day in a Trust Fund with the Multnomah
10 County Sheriff for each day that I remained in the custody of the Multnomah County Sheriff.

11 13. To date, I have not been transported to the Oregon State Hospital.

12 14. I have been and remain a prisoner, jailed in the Multnomah County Detention
13 Center despite being adjudicated “guilty except for insanity” and placed in the jurisdiction of
14 the Psychiatric Security Review Board and ordered placed at the Oregon State Hospital.
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16 15. Apart from medication, I have not received any treatment for my qualifying
17 mental disorder.

18 16. Since being placed under the jurisdiction of the Psychiatric Security Review
19 Board (PSRB), I have never once met with a single employee or agent of the PSRB.

20 17. As a result of the state’s failure to transport me to the Oregon State Hospital, my
21 mental health symptoms have increased.

22 18. I am presently in disciplinary segregation because I got into a fight in response
23 to my mental health symptoms.
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1 19. Because of my mental health symptoms and allegations of danger made by the
2 Multnomah County Sheriff, the judge has ordered that I appear in leg restraints and belly chains
3 for court appearances.

4 20. The Oregon State Hospital remains in contempt of court for failing to admit and
5 transport me to the Oregon State Hospital. It is also my understanding that it has not made a
6 single payment as ordered by Judge Waller as a sanction for its contempt.

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8 **DATED** this 4th day of November, 2021.

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10 By: 
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